

In the United States Court of Federal Claims

Nos. 13-608C and 13-672C  
(Consolidated)  
(Filed: April 9, 2014)

\*\*\*\*\*  
BRYNDON FISHER, et al., \*  
\*  
Plaintiffs, \*  
\*  
v. \*  
\*  
THE UNITED STATES, \*  
\*  
Defendant. \*  
\*\*\*\*\*

## ORDER

The court has received inquiries from numerous individuals who claim to be interested parties in this case and others regarding the conservatorship of the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, or both (collectively, “the Fannie Mae/Freddie Mac cases”).<sup>1</sup> The court will not entertain ex parte communications **under any circumstances**. The only communications that the court will engage in will be with counsel of record in the respective cases. Counsel in this case are directed immediately to notify their clients that they shall have no communications with the court; that is the role of counsel. Individuals other than counsel of record shall direct questions regarding these cases to the Clerk’s Office.

Due to the inquiries described above, the court sets forth the following guidelines regarding the status conferences described in its April 4, 2014 order in Fairholme Funds, Inc. v. United States, 13-465. As indicated in that order, telephonic status conferences shall be held in Fairholme Funds every two weeks, beginning on Wednesday, April 23, 2014, unless both parties concur and inform the court that a status conference is not necessary. The court will conduct each telephonic status conference in a courtroom at the Howard T. Markey National Courts Building, located at 717 W. Madison Pl., NW, Washington, D.C., 20439. Counsel in Fairholme Funds are invited to appear in person or telephonically, as they deem appropriate. Counsel in the other Fannie Mae/Freddie Mac cases **may call in or attend** the status conferences to listen or

<sup>1</sup> These cases include Fairholme Funds, Inc. v. United States, 13-465, Cacciapalle v. United States, 13-466, American European Insurance Co. v. United States, 13-496, Dennis v. United States, 13-542, Washington Federal v. United States, 13-385, Fisher v. United States, 13-608, Shipmon v. United States, 13-672, Arrowood Indemnity Corp. v. United States, 13-698, and Reid v. United States, 14-152.

observe, but **may not participate**. Nonparties and other members of the public **may attend** the status conferences conducted in the courtroom.

By **no later than 10 a.m. on the Tuesday before each status conference**, the parties in Fairholme Funds shall file a joint status report indicating whether a status conference is necessary. If a status conference is necessary, the parties shall further indicate (1) the names of the attorneys in Fairholme Funds who will be participating in the status conference, along with whether they will appear in person or by telephone; and (2) the names of the attorneys in the other Fannie Mae/Freddie Mac cases who intend to observe or listen to the status conference, along with whether these attorneys intend to observe in person or listen by telephone. The court will then, via e-mail, provide counsel of record in Fairholme Funds with instructions to access the conference calls. Counsel of record in Fairholme Funds shall provide these instructions to other attorneys in the Fannie Mae/Freddie Mac cases who will be listening to the status conference by telephone. **Under no circumstances** shall these instructions be shared with nonparties or other members of the public. Individuals who are unable to attend the status conference in person may purchase an audio recording or transcript of the proceeding. Information regarding purchasing audio recordings or transcripts is available at <http://www.cofc.uscourts.gov/rules>.

**IT IS SO ORDERED.**

s/ Margaret M. Sweeney  
MARGARET M. SWEENEY  
Judge